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**Post-Soviet Civil Society Development in the Russian Federation:  
The Impact of the NGO Law**

**Abstract**

The passing of the Russian NGO Law in mid-2006 set clear parameters for Russian NGO activity and civil society development. In this paper we assess the impact of the NGO Law on both NGOs and Russian civil society. Our findings illustrate that the NGO Law has led to a reduction in NGO activity and curtailment of civil society development. We conclude that Russian civil society appears to be dominated by groups funded and thus controlled by the state. This has implications for Russia's on-going democratic development.

## Introduction

Following the collapse of the Soviet Union, Russian non-governmental organisations (NGOs) developed erratically in a context of weak and incomplete regulation. This led to some NGOs to act as fronts for commercial or criminal organizations (Robertson, 2009) and the emergence of non-governmental individuals (NGIs) whose sole purpose was to chase predominantly overseas grant money (Henry, 2006). Eventually the Russian state realised that if NGOs had greater transparency and financial control it could encourage the professionalization of the sector and attract domestic philanthropists (Robertson, 2009). At the same time, prompted by the role played by internationally funded NGOs in the so-called ‘Colour Revolutions’, the Soviet successor states openly rejected overseas democracy assistance and thus sought to curtail its influence (Saari, 2009). Critical to this aim was the curbing of the activity and scope of such NGOs through restricting or outlawing the use of overseas funds (Maxwell, 2006). In tandem, the Kremlin perceived both foreign funded domestic and overseas groups as tarnishing Russia’s international reputation (particularly in the areas of human rights and democracy; see Machleder, 2006) and that overseas NGOs’ intervention in Russia’s process of public environmental evaluation was curtailing its economic development (Digges, 2006). These perceptions and the desire for greater transparency of NGOs were all powerful stimuli in shaping the provisions of the law ‘On Introducing Amendments into Certain Legislative Acts of the Russian Federation’, known colloquially as the 2006 NGO Law (Maxwell, 2006).

The Law, which had echoes of the 1997 Law on Freedom of Conscience and Religious Associations, places an increased administrative burden on both domestic and foreign NGOs (Maxwell, 2006). It also increases the power of scrutiny of the state vis-à-vis NGO activity and membership (Kamhi, 2006) and places restrictions on the receipt of overseas donor funds

by domestic groups (Machleder, 2006). Each NGO, foreign or domestic, is now compelled to complete new registration documents detailing personal information about each member and founder, report all foreign donations and account for how that money is spent (Kamhi, 2006). The Law also offers the state wide-ranging scrutiny over all NGO documentation, including internal financial statements and those relating to group activity. It also permits the state to send representatives to NGO meetings, including those regarding private policy and campaigning activities (Maxwell, 2006). Further, the Law facilitates the review of the compliance of NGOs with their own stated goals (Maxwell, 2006), to ensure that organisational activities do not threaten the sovereignty of the Russian Federation.

Since the NGO Law was passed in April 2006 it has been subject to a number of amendments. These include in 2009 exempting smaller NGOs or founders of NGOs from reporting their annual revenue if it was less than 3 million roubles (approx. \$100,000). Mandatory audits of all NGOs would now take place once every three years rather than annually. Refusal to register organisations can also no longer be made on the grounds that a group threatened the 'national interests of the Russian Federation' as in the original 2006 legislation. However, all other provisions – including restrictions on overseas donor funding and powers to attend all NGO meetings, private or public – remain intact.

In July 2011, the Law was amended again, expanding the grounds on which the government could conduct unscheduled audits of NGOs. However this was subsequently repealed in November 2011. In July 2012 the Russian parliament passed additional legislation, which classifies NGOs with political activities and foreign funding as 'foreign agents', requiring them to file a report every quarter (Bennetts, 2012). Thus the 2006 NGO Law and its subsequent amendments appear to seek both to keep NGOs, particularly those with overseas

funding, on a ‘very tight rein’ (Roberston, 2009: 540) and to control or ‘license’ (Robertson 2009: 541) Russian civil society.

In this paper we examine the impact of the NGO Law on both NGOs and Russian civil society development to date. While some empirical assessment of the NGO Law based on studies of social organisations (Ljubownikow and Crotty, 2013), survey data (ICNL, 2007; Jakobson and Sanovich, 2010) and anecdotal evidence (Javeline and Lindemann-Komarova, 2010) have been conducted, still missing from the literature is a detailed examination of the impact of the 2006 NGO Law on Russian NGOs with a more political profile. In this paper we address this gap by seeking to establish the influence of the Law on the day-to-day activities of environmental organisations and, ultimately, on Russia’s civil society development.

The paper is therefore structured as follows. To give some context to the study we first provide an overview of literature on the development of Russian civil society before the Law was introduced. We then describe the research study and methodologies from which the findings in this paper derive, before presenting findings on the impacts of the Law on day-to-day activities. These include impacts on registration requirements and sources of funding, and on the development of civil society. With the 2006 NGO Law now occupying a central role within policy and legislation of Russian civil society, the findings in this paper therefore speak to the impacts of the Law on both Russian NGOs and civil society more broadly. Thus we now turn to present a brief overview of the literature regarding the development of civil society ex-ante the 2006 NGO Law.

### **The Development of Russian Civil Society pre-2006**

Civil society may be defined and conceptualised in a variety of ways, often dependant on the understanding of (and the interplay between) political systems, economic orientation, and religious traditions within a given society (Muukkonen, 2009). Despite the need for considering context in defining civil society, Muukkonen (2009) states that a common characteristic of understandings of civil society is the separation of this sector from the state. Hence, within the CEE context, Osborne and Kaposvari (1997) describe civil society as an intermediate public space that accommodates NGOs and other actors. Similarly Crotty (2009), in examining Russian NGOs, characterizes civil society as a space with intermediary organizations such as NGOs which promote democratic values, enable people to become active citizens and balance the power of the state. Thus in this paper, following Henry and Sundstrom (2006: 5), we define civil society as “a space of citizen-directed collective action located between the family and the state, and not directed solely toward private profit”. Organisations such as political parties, business firms, or organised crime groups are excluded from this definition (Henry & Sundstrom, 2006). This realm consists of a variety of institutional forms such as groups of people, formal and informal networks, associations, or organizations such as NGOs (Mercer, 2002).

The term 'NGO' is more widely used to characterize formal civil society groups in democratizing contexts (Mercer, 2002), such as Russia (Spencer, 2011). NGOs are defined by the Russian Federal Law on Public Associations as “voluntary, self-governing, non-profit formations set-up by individuals who have united on the basis of the community interests to realise common goals”. Hence, NGOs are often politicized organizations, which challenge and attempt to influence decision-making within state institutions, such as NGOs promoting human rights or environmental protection.

The majority of research on Russian NGOs distils such organisations into three distinct groups (Crotty, 2006, 2009; Henry, 2006; Spencer, 2011). The first group are Marionette organizations, “created by the state or government officials and have no leadership or constituency in society” (Cook and Vinogradova, 2006: 34). Such organizations serve to legitimize, complement and support the state’s policy agenda and create the image of an autonomous and functioning civil society (Cook and Vinogradova, 2006). The second group consists of grass-roots organizations (GROs) (Cook and Vinogradova, 2006). These small, locally based organizations without paid staff (Mercer, 2002) have found it difficult to attract funding either at home or abroad (Henderson, 2002). The third group is made up of traditional organizations (TNGOs) (Crotty, 2009) which are often larger, able to maintain paid staff (Mercer, 2002) and in the past were reliant on western funding (Jakobson and Sanovich, 2010). Accordingly, in this paper we characterise NGOs in the same way, which is particularly relevant for analytical purposes.

Despite the existence of these NGOs, post-1991 development of Russian civil society has been described as being in a ‘holding pattern’, with organisations struggling to overcome both the legacy of the Soviet past and difficulties arising from a transitioning economic environment (Sundstrom and Henry, 2006). A range of factors have inhibited NGO development in post-Soviet Russia, including a lack of enthusiasm in public participation (Petukhov, 2004), nonparticipation in collective action (Rimskii, 2007), and rejection of formalized volunteering (Smolar, 1996). In addition the continuing dominance of Soviet cultural values in political institutions (Hedlund, 2006), as well as social organization (Spencer, 2011), meant that the majority of NGOs remained parochial and inward-looking (Crotty, 2006; Mendelson and Gerber, 2007; Spencer, 2011). This was exaggerated by the

absence of domestic funding sources (HSE, 2011), leaving domestic NGOs reliant on overseas funding for their activities.

Following the collapse of the Soviet Union but prior to the passing of the NGO Law many scholars (Klose, 2000; Henry, 2001; Mendleson, 2001; Henderson, 2002; Richter, 2000, 2002; Weinthal, 2002; Crotty, 2003, Murphy, 2003, Sundstrom, 2005) noted that rather than bolstering its development, overseas funding has created a class of NGO distanced from Russian society and thus “widened the gap between activists and the rest of society” (Henderson, 2002, p. 75). Access to overseas grants was administered by competitive tender, pitching groups against one another for funds, rather than drawing them together into larger, more effective constituencies (Crotty, 2006). In addition, failure to sufficiently contextualise this assistance (Crotty, 2003) meant that Russian groups adopted the western agendas imposed by overseas funding bodies (Henry, 2001; Henderson, 2002; HSE, 2011; Richter, 2000, 2002; Crotty, 2003, Murphy, 2003, Sundstrom, 2005).

A minority of commentators illustrated the benefits of overseas funding, including: democracy building and the development of civil society (Weinthal, 2002); the fostering of more democratic NGOs (Mendleson, 2001); and the assisting of NGOs in achieving their goals through grant assisted projects and actions (Klose, 2000). However the majority (see Henry, 2001; Henderson, 2002; Richter, 2000, 2002; Crotty, 2003, Murphy, 2003, Sundstrom, 2005) indicated that a lack of contextualisation and inappropriate administration facilitated little more than maintaining their (NGOs) continued existence (Henry, 2001). This, combined with the competition injected into the Russian NGO sector by the presence of foreign funding, meant that groups were active but isolated. They may have had the ability to



act as a counter-weight to the state (Taylor, 2006), but they did not facilitate bridging activity between the individual and the state (Richter, 2002).

As noted, following the ‘Colour Revolutions’ in Ukraine, Georgia and Kyrgyzstan in 2004 and 2005, the Russian state began to view overseas democracy assistances as a challenge to its sovereignty. The 2006 NGO Law therefore was not only an attempt to impose order in what was a dispersed and underdeveloped sector but also to curb foreign support for NGOs. However, as the NGO Law was justified under the veil of encouraging the development of domestic funding for NGOs, Russian state authorities established the Public Chamber of the Russian Federation (Richter, 2009) to provide a substitute for this funding. As the “ministry of civil society” (Richter, 2009: 7), the Public Chamber was responsible for the administration of federal funding to NGOs via government grants. Despite totalling one billion roubles (ca 32 million US dollars) in 2010 (Public Chamber of the Russian Federation, 2010) and increased to two billion roubles (64 million US dollars) (Public Chamber of the Russian Federation, 2012), accessing these funds continues to be on the basis of competitive grants. Consequently, only 604 out of Russia’s 300,000 estimated NGOs receiving this funding to date (Public Chamber of the Russian Federation, 2010). Furthermore, the allocation of these funds is argued to lack transparency (Schaaf et. al., 2009) and thus there remains a strong perception that the majority of funds reside in Moscow.

For Russian commentators this has been the beginning of a process of import-substitution (Jakobson and Sanovich, 2010; HSE, 2011) leading to the emergence of a third sector that reflects the Russian context (Ljubownikow et al., 2013), with the state now the funder of Russia’s third sector and overseas donors in retreat. For example between 2001-2011 USAID spent more than three billion US dollars on democracy assistance and other programmes in

the Russian Federation, and was planning to spend another 50 million in 2012 before it was forced to withdraw (BBC, 2012). While the Russian press reported this withdrawal as a shift in funding priorities by USAID (Tropkina, 2012), the US state department stated that this decision was instead motivated by the Russian government's explicit rejection of foreign assistance (Nuland, 2012). This example indicates the significant reduction of overseas funding available to Russian NGOs with only a fraction of it being substituted by the state since the passing of the 2006 NGO Law and its subsequent amendments.

Given the above, in this paper we seek to establish what has been the reaction of Russian NGOs to the NGO Law. With the impact on funding and the registration requirements likely to add an additional burden to NGOs, how and in what ways has the NGO Law impacted their day-to-day activities? To what extent – if at all, given its historical under-development – has the NGO law contributed to the stalling of Russian civil society development? We explore these propositions by operationalizing interview data collected from environmental NGOs (eNGOs) in three regions of the Russian Federation. Before we present our findings, we outline the methodology of the research study below.

## **Methodology**

In this paper we focus on eNGOs because the environmental movement occupies a unique position in Soviet history; it was the only dissident movement to be openly tolerated by the regime (Weiner, 2002). Given this, ordinary Russians viewed it as a relatively safe issue about which to protest and so, for a brief time during the Glasnost era, the environmental movement became popular. This popularity stemmed not from widespread recognition of the environmental movement's aims but was instead a veil under which general dissent would be expressed (Yanitsky, 1999). Accordingly, it facilitated organized and effective mass protests

and actively spanned the gap between the individual and the state. Thus with the longest heritage and the only movement to have a history of amassing general support from the wider population and contributing to civil society development, we focus explicitly on the impact of the Law on eNGOs.

The data presented in this paper, collected as part of a wider UK Economic and Social Research Council-funded research project, arises from three industrial Krai and Oblasti in the Russian Federation.<sup>1</sup> The Oblasti of Samara and Volgograd and Stavropol Krai were chosen for our study because the urban centres of Moscow and St. Petersburg do not always represent the experience of organizations in provincial Russia (Javeline and Lindemann-Komarova, 2010). In addition, as Moscow and St. Petersburg have been subjected to greater forces of economic and social transformation (Mansvelt, 2005) than other areas of Russia, it is unlikely that findings from these two cities would be representative of civil society development across the Russian Federation.

The three regions chosen for this study have a GRP (gross regional product) per capita within the Russian average (IMF Russia, 2008) and are 80% or greater ethnic Russian (Federal State Statistics Service, 2010). Each also has a significant industrial base including the immense Lada Plant, AvtoVAZ in Tol'yatti, Samara Oblast' and the specialist industrial cities of Budennovsk (oil refining) and Nevinnomyssk (chemical production) in Stavropol Krai. Volgograd is also home to Russia's largest tractor factory and hydro-electric dam. Thus these three regions are not only representative of provincial Russian cities but also provide the study with a sufficiently similar economic and social context to examine contrasts and similarities between the regions, minimizing potential regional factors to act as explanatory influences (Miles and Huberman, 1999).

Miles and Huberman (1999) assert that an inductive research design is undertaken where the territory under enquiry is ‘excessively complex’ and the intent is exploratory. Given the dynamic nature of Russia’s economic and social development, and the lack of literature on the NGO Law and its impact, an inductive research design was deemed appropriate. Such an approach also enables us to capture the respondent’s own interpretations (Eisenhardt, 1989), assisting us in evaluating how respondents portray the NGO Law and its impact on both their everyday lives and on civil society as a whole.

The literature on civil society development in Russia (Sundstrom and Henry, 2006), as well as aspects of the legislative changes and assessment thereof in the literature (Maxwell, 2006), informed a semi-structured interview protocol, which was translated into Russian for data collection. Interviews lasted between thirty to ninety minutes and were conducted in Russian with the aid of an interpreter. To reduce self-reporting bias, interview data was triangulated with data, observational and artefacts, collected by attending eNGO events (Miles and Huberman, 1999). The focus of the data collection process was to establish the impact of the Law specifically on the *modus operandi* of NGOs and their contribution to civil society development. Data collection included reflective periods to adjust and amend the interview protocol in order to capture and probe any arising issues.

NGOs, which the Russian NGO Law defines as ‘public organizations’, were recruited using gatekeepers at universities in each of the three regions and snowballing techniques. A total of 26 NGOs participated in the interviews.<sup>2</sup> All interviews were transcribed and translated into English *in situ*, calling on the skills of native speakers wherever discrepancies arose. The interview material was then coded inductively for themes to answer the question of how the

NGO Law has impacted eNGOs. As the interview transcripts were read and reread, new codes emerged and existing codes were adjusted (Charmaz and Mitchell, 2007). This process also established relationships between different aspects of the data (Miles and Huberman, 1999).

To ensure that the organizations and the participants remain anonymous, and the data confidential, in the discussion that follows the data is referred to according to the adopted coding system. As such each NGO is referred to as for example 1.8, with 1 denoting region (1=Samara; 2=Stavropol; 3=Volgograd) and 8 denoting the specific NGO (see Appendix 1 for an overview of interviewees). The discussion that follows explores these issues using narratives from these interviews and “illuminating examples” (de Vaus, 2001: 240) to exemplify key points.

### **The NGO Law: Impact on Day-to-Day Activities**

More than any other issue, the impact of the NGO Law on the funding of day-to-day activities was asserted by the TNGOs and GROs groups in this study. The removal of foreign funding and reliance almost exclusively on government-based grants had resulted in, if not total curtailment, a reduction in activity. Other aspects of the Law, particularly the registration requirements, also distracted many TNGOs from their day-to-day activities resulting in a reduction in the number of active eNGOs. In contrast, Marionette organisations had fewer problems aligning their activities with government interests and thus did not experience the same funding or registration issues. We explore these findings in more detail below.

#### **Registration Requirements**

As stated earlier, the NGO Law requires each NGO, foreign or domestic, to complete registration documents detailing personal information about each member and founder, as well as report all foreign donations and account for how that money is spent (Kamhi, 2006; Maxwell, 2006). The Law also provides the state with access to all NGO documentation including internal financial statements and those relating to group activity. Although many groups in this study alluded to these requirements, perceptions of the difficulties associated with compliance were mixed.

Marionettes and the larger TNGOs with either state and/or enterprise funding stated that it ‘was not a problem if you know what you are doing’ (Interview 3.3); that these requirements were a matter of ‘competence’ (Interview 1.4) and were ‘not difficult’ (Interviewees 1.7; 1.10). ‘Law-abiding’ (Interview 2.2) eNGOs, it was argued, would have no problems in the ‘various preparations and documentation’ (Interview 2.2) required for registration. Moreover, in line with some of the prescribed motivations for the NGO Law – that it would encourage a professionalized sector capable of convincing domestic philanthropists to make donations (Robertson, 2009) – these groups also felt that the NGO Law had ‘forced the professionalism of non-professional organisations’ (Interview 1.14), and as a result had reduced the overall number. As Interviewee 3.4 explains,

With the changes in the rules about registration a lot of ‘amateur’ NGOs have simply vanished and failed to register as they deemed the registration process to be too cumbersome. As we say, ‘the holidays have finished’! (Interview 3.4)

Conversely other groups, predominantly GROs and TNGOs without funding or who had previously relied on overseas funding, viewed the registration requirements as ‘extremely complicated’ (Interview 3.2). An ‘increased amount of paperwork’ (Interview 1.16)

distracted them from their other activities. As a result, ‘lots of small organisations simply did not register... they didn’t have the time... or the financial resources’ (Interview 3.1), including one organisation in this study;

Our organisation does not have the right of a legal person [not registered]... One of the main reasons we did this was because of the very complicated system of inspections and reports... There are so many restrictions making the activity of public organisations impossible... very few survive. (Interview 1.8)

Groups themselves – Marionette, TNGO and GRO – acknowledged that the requirements have reduced the number of active organisations. One group estimated that while there were ‘3,500 organisations... only some hundreds of them rendered the reports [registered], about 400’ (Interview 1.7). Thus the official NGO numbers in Samara Oblast’ dropped considerably as a result of the registration requirements. Reference to smaller groups failing to register was also acknowledged in both Stavropol Krai and Volgograd Oblast’, with groups stating that, ‘small clubs which found it too difficult to register... have simply gone “underground” and don’t register themselves but they exist’ (Interview 3.1).

Evidence here points to two outcomes. First, the registration requirements have resulted in the reduction of ‘official’ eNGOs. Groups may remain un-registered, but are not formally listed by the state and as such become ineligible for state funding (as discussed below). Secondly, the registration requirements are sufficiently complex that they favour larger, well-resourced organisations, notably the Marionettes and TNGOs with state and/or enterprise funding that have the time and the expertise in-house to complete this paperwork. Consequently, those groups aligned with the states’ objectives in terms of remit and/or financing have been able to navigate the demands of the NGO Law far more successfully

than those which were not. These findings are reinforced when we examine the impact of the NGO Law on the funding of eNGOs in the following section.

### Sources of Funding

In addition to increased registration requirements, the NGO Law also placed restrictions on the receipt of overseas donor funds by domestic groups (Machleder, 2006), with each NGO now compelled to report all foreign donations and account for how that money is spent (Kamhi, 2006). This provision hit particularly hard those groups that had previously been in receipt or relied on foreign funds for their activity. These groups, predominantly TNGOs, stated that now it was very ‘difficult’ (Interviews 3.3; 1.14; 1.4) because ‘there are no more foreign grants, before there used to be’ (Interview 1.7). In the new environment western funding was very much ‘controlled’ (Interview, 1.12) and ‘frowned upon’ (Interview 3.2), with an ‘unspoken agreement that good organisations should not accept funding from specific organisations such as USAID’ (Interview 1.13). Some went further, stating that ‘it is clear that the state doesn’t want NGOs to be funded by external donors’ (Interview 3.2). In their view the ‘purpose’ (Interview 1.15) of the NGO Law was to ensure that groups did not receive foreign funding, restricting income to that which the state could control.

TNGOs in this study were vocal in expressing perceived inadequacies of this system, stating that grants from the Public Chamber only went to “‘their” [the state’s] NGOs, groups of people who have surrendered their independence and simply carry out the orders of their political masters’ (Interview 3.3). Grants were also considered to have too many ‘conditions’ (Interview 3.4; 3.1), ‘parameters’ (Interview 3.4) or a state specified ‘framework’ (Interview 3.2) attached; that the object of government grants was to ‘trickle down of the political



message from above' (Interview 3.4). Interviewee 3.1 captures many of the TNGO and GRO complaints,

We will apply for a grant and in the programme of action outline our intentions. If these intentions interfere or disrupt the 'status quo', then we will simply not be given any money. The organisers say how we must spend this money and what activities are 'expected' from us. There is a clearly outlined framework here for NGOs to follow. If you want to win grants and be active then you can win these grants, but your actions will be totally controlled by the powers that be. (Interview 3.1)

Government grants were also regarded as too 'competitive' (Interview 3.7), creating animosity between NGO groups. The process was also viewed as too 'complicated' (Interview 1.9; 3.6) and the amounts too 'small' (Interview 1.1; 1.2; 1.8 1.10) to 'cover the banking costs we must pay to remain a registered NGO' (Interview 3.3). Others reported that grant money, having been won, was not always received; 'we then waited and waited to receive the money and finally we were told that the money had been given to another organisation' (Interview 3.2). One organisation stated that they had been 'kicked out' (Interview 1.10) after winning a grant for supplying incorrect information. Many also asserted that any grant income that they did win was 'taxed' (Interview 1.10; 1.12; 3.1) meaning that often a grant 'takes away more than it gives' (Interview 1.15).

References to increased workload or strains on payment and salary as a result of decreased funding were also commonplace in the interviews, as this excerpt illustrates,

Grants take away many forces, time and even money. Even this summer I have written the grant, have spent one and a half month and hundred thousand roubles, but some months have passed and I have not received the answer...The basic obstacle – absence of financing. We don't even have our own office. (Interview 1.15)

In contrast to the past, where many TNGOs had been reliant on overseas grants (Crotty, 2009; Henry, 2010; Carmin and Fagan, 2010), these factors had led many TNGOs and GROs in this study to ‘simply not bother’ (Interview 3.2) applying for grant funding (Interview 1.1; 1.2; 1.8; 1.15; 3.2; 3.6). As organisations were unlikely to receive the funding, or would have the funding withdrawn or taxed, many viewed it as a ‘pointless exercise’ (Interview 3.6).

Yet groups also saw the rejection of state-sponsored grant funding as a way to remain ‘independent’ (Interview 1.1; 1.8; 1.9; 1.13; 3.1; 3.2; 3.3; 3.4). As a result, many groups now relied on personal income, e.g. ‘we use the flats of our activists for meetings and our own resources to organise demonstrations and meetings’ (Interview 3.6, also 1.8; 1.9; 3.1), money they could raise from activities for example ‘money we earn ourselves by excursions... around the reserved area’ (Interview 1.16), donations from members (Interview 1.16), or ‘voluntary work’ (Interview 1.8).

In addition, GRO and TNGO participants also reflected on and confirmed wide-spread perceptions about the geographical distribution of state-sponsored grant funding (Schaaf, et. al., 2009), summing it up respectively;

We are sure that all these awards are distributed in Moscow. Sly people deal with it there. And we cannot beat them. (Interview 1.8)

...the purpose of this law was that the organizations did not receive foreign investments. Only The all-Union and Moscow organizations received state investment. (Interview 1.15)

The uneven geographical distribution of these federal funds therefore further discouraged eNGOs in this study from applying for financial support.

Like the registration requirements discussed above, the absence of funding had also impacted the ability of groups to engage in or influence policy,

Nowadays public organisations cannot significantly influence the decision-making process... public organisations do not have sufficient resources or qualified specialists (Interview 1.15)

And had reduced the overall number of active groups,

Until now there were over 3000 public organisations in Samara. Not all of them were registered. Now their number dropped because it is impossible to maintain these organisations financially (Interview 1.8).

Conversely, Marionette organisations reported fewer difficulties. Whilst acknowledging that the removal of foreign funding had been a ‘huge problem’ (Interview 2.1) for those who had relied on it, they did not report difficulties with securing funding, as alluded to by the TNGOs and GROs in this study. Instead groups more commonly described government support as ‘rather impressive and solid’ (Interview 2.2) or ‘beneficial and supportive’ (Interview 2.3). Others discuss how they have won multiple grants for multiple projects (Interview 1.5; 1.6; 1.11), by ‘participating in competitions with no problems’ (Interview 1.6). Although a few did complain that the procedures for participating in these competitions could be ‘protracted’ (Interview 1.6; 1.11) and ‘bureaucratic’ (1.6), generally Marionettes were happy to discuss the extent to which the state supported their activities. For instance,

Our undertakings are often supported by the local government, and that is very pleasant for us. A lot of our projects have acquired the regional status because of the organizational and financial support of the government and the Ministry of Natural Resources in particular. (Interview 1.6)

In addition, unlike the TNGOs and GROs, no Marionette reported other problems, such as failure to receive grant funding or having funding removed or taxed. No Marionette complained that the state attached too many conditions to the funding received.

Within the literature on Russia's civil society development there has been a debate about the benefits of foreign funding. Crotty (2006, 2009) has posited that while it may have assisted individual NGOs in their organizational development, foreign funding also broke the link between domestic NGOs and the Russian public, contributing to the continuing underdevelopment of Russian civil society (Henry, 2001; Henderson, 2002; Richter, 2000, 2002; Crotty, 2003; Murphy, 2003; Sundstrom, 2005). This notwithstanding, overseas funding was independent of state control and it is clear from these discourses that the absence, outlawing or inability to apply for overseas funding is now keenly felt.

Moreover, this discourse also illustrates that the Russian government have been successful in restricting the influence of overseas organisations within Russian civic life, a key motivator in passing the NGO Law in the first place (Maxwell, 2006). By removing this source of funding, domestic NGOs are now restricted to applying for competitive grants via the Public Chamber, seeking enterprise sponsorship, or using their membership to raise funds. This process appears to replicate the 'competitive' element of overseas grants, pitching groups against one another rather than facilitating co-operation between them (Crotty, 2006; 2009). TNGOs and GROs in this study also describe the restrictions this has placed on their activity, whilst the Marionettes appeared less troubled by them. It is no surprise that Marionette organisations, those closely aligned to the state, have found it easier to navigate the funding implications of the NGO Law. Having not previously relied on overseas funding, such groups had less to lose as a result of its provisions.

## **The NGO Law: Impact of Civil Society Development**

Views were once again split between a group made up of TNGOs and GROs, whose dominant view was that the Law had been harmful, and Marionettes who thought that the Law and its provisions were the right way to ‘control’ (Interview 2.2) Russian civil society development. We explore these differences below.

The views of TNGOs and GROs in this study towards the general purpose of the NGO Law are encapsulated in the following commentary,

I think that the adoption of this Law shows us [that] our State has a very poor understanding of non-commercial organisations. “If I do not understand what it is, I’d better make some restrictions to prevent it from spreading”. (Interview 1.14)

Despite some of the larger TNGOs stating that they had had no problem with the registration requirements, all of the TNGOs and GROs felt that the Law would harm Russia’s civil society development, viewing it as part of a wider attempt by the State to control ‘all aspects of political, societal and cultural life’ (Interview 3.1). The Law had taken away the ‘oxygen’ (Interview 3.1; 3.2) for a vibrant civil society to survive, making it very difficult for independent eNGOs to operate.

As such respondents viewed the Law as an attempt by the state to both undermine democracy and reconstruct civil society in a way that it could control, as this excerpt describes,

Civil society is systematically being destroyed from above. Administrative and financial pressures are being systematically used to destroy civil society in Russia. In its place, they are trying to build a civil society in a conformist and ordered fashion from above with no respect for individual autonomy or the principles of democratic rule. (Interview 3.2)

Others defined this as a ‘backsliding of democracy’ (Interview 1.8), that ‘civil society in Russia today is being formalised’ (Interview 3.4) into a “variant” of civil society that they [the state] agree with’ (Interview 3.3). The result was that independent organisations would ‘be easily suppressed, financially or politically’ (Interview 1.10). As a consequence the focus was now on Marionette organisations, ‘set up by the state to create the image of a functioning civil society’ (Interview 3.1), whilst TNGOs and GROs struggled under the threat of ‘liquidation’ (Interview 3.2). As a result, respondents again indicated that this situation had led to the reduction in the overall number of eNGOs; ‘under these conditions, lots of NGOs have simply stopped functioning’ (Interview 3.1).

The views of TNGOs and GROs above were strongly countered by those of the Marionette organisations in this study. Interestingly, in expressing their support for the NGO Law, Marionettes also suggested some of the reasons cited as motivators for the Law’s inception, including the threat of ‘orange revolutions’ (Interview 1.6) and the need for the State to ‘protects itself’ (Interview 1.6). As a result, Marionettes echoed Interviewee 1.4 in stating that ‘the State has the right to know what non-commercial organisations do’ (Interview 1.4) and so ‘Federal control of the system is really necessary’ (Interview 2.2). As a result, it was suggested that ‘the state was ‘trying to “manage” civil society in Russia today’ (Interview 3.4). Others felt that ‘it is really important that the government should support the development of non-governmental organisations because without them there would be no civil society’ (Interview 1.7).

In addition, some interviewees countered suggestions from the TNGOs and GROs that the Law had resulted in significant changes and presented a risk to eNGOs more generally, as this commentary explains,

Regarding the 2006 NGO Law, I can say that this hasn't changed the landscape for NGO activities in Russia very much. For example, contrary to some opinions, all NGOs in Russia now are not constantly being pressurised and harassed by the police or the security services. In reality, such a situation is not happening. (Interview 3.4)

These contradictions in opinion with regards the impact of the NGO Law on Russia's civil society development are not surprising, especially given the perceptions of the TNGOs and GROs that the Marionettes have been the ones to have benefitted from these regulatory changes. Moreover, these differences in the felt impacts of the NGO Law also indicate a shift in emphasis towards Marionette organisations as the dominant group within Russia's third sector. We explore the implications of this for Russia's civil society development and the other findings in this study below.

## **Conclusions**

Before we draw conclusions it is necessary to acknowledge the limitations of this paper. Firstly, while we have sought to obtain data from environmental NGOs based in provincial industrial regions of Russia, care must be taken in extrapolating these findings either to more rural regions, autonomous republics, or Moscow or St Petersburg where it is more likely that international influences will shape the activity of NGOs. Likewise, the recent protests regarding Putin's re-election to the Presidency in March 2012 were confined to the capitals (ancient and modern) and did not spread to these provinces, indicating that such activity was not representative of the Russian population, or civil society as a whole. Secondly, the findings in this paper were drawn from 26 eNGOs; had different NGOs or NGOs from a different sector been chosen, we may have garnered a different set of narratives. Yet the narratives that were collated have provided a depth to NGO perceptions, response and impact

of the NGO Law not yet explored in-depth within the literature. From this some key observations and conclusions can be drawn.

The key observations that can be drawn from the evidence in this paper are essentially threefold. Firstly, despite the overall reduction in the availability of overseas democracy assistance in the wake of global financial crisis (IDS, 2008), the 2006 NGO Law represents an outright rejection of overseas funding (Saari, 2009) by the Russian government. This rejection was not based on supply, but on perceived threats to the state's sovereignty following the 'Colour Revolutions' of the mid-2000s. One of the 2006 NGO Law's objectives was to encourage the development of alternative domestic funding sources, particularly philanthropic activities by Russia's elite and businesses. Even though donations in Russia have increased, mainly driven by corporate philanthropy (Khodorova, 2006), Livshin and Weitz (2006) highlight that most domestic donation, an estimated 90%, go to state-run bodies such as orphanages and not to NGOs. Further, Sundstrom (2011) highlights that if such donations do go to NGOs they mainly fund single events rather than providing funding for the sustainable existence of such organisations.

Thus the removal of overseas funding essentially leaves the NGO sector with the state as the primary financier. This has two implications. Marionette organisations are likely to be more closely aligned to the states objectives, and thus find it easier to secure this funding – a finding illustrated above. In addition, groups previously reliant on overseas funding either have to re-orientate themselves to the aims of the state or look for other sources of funding. A few had been successful in achieving the latter, whilst others had stopped applying for grants to 'retain their independence' (Interviews 1.8; 3.3; 3.4). The result, however, is that many TNGOs and GROs in this study now operate without funding. Consequently, the well-



resourced NGOs (Marionettes) appear to be agents of social policy, rather than informing or challenging it, whilst those without funding (TNGOs and GROs), although independent of the state, will struggle to engage in any activity at all.

Secondly, the provisions of the Law, specifically registration and financing, have reduced the number of active eNGOs in the sector. When the NGO Law was in its development phase, critics both within and outside the Russian Federation stated that the Russian NGO movement would be condemned to ‘evisceration’ (Dejevsky, 2005) if the bill became Law. Others pointed out the potential harm that could be done to domestic groups by restricting or controlling overseas donor assistance (Alekseeva et al., 2005) and that a draconian approach to implementation within a developing democracy could cut off fledgling shoots of civil society development before they had had time to develop (Abdullaev, 2006). The reported reduction in both active groups and group activity clearly reflects these criticisms. Groups not aligned with government objectives reported problems of continuing to operate in an environment where the Public Chamber determined funding opportunities, and where preference was given to Marionettes. This had sucked the ‘oxygen’ (Interviews 3.1; 3.2) out of Russian civil society, making it difficult for these organisations to continue with their day-to-day activity. Perhaps ‘evisceration’ (Dejevsky, 2005) is a bit strong, but if groups are forced ‘underground’ (Interview 3.1) by the registration procedures, they lose their ability to influence policy or those making it.

This leads to the third and final key observation that as funding, registration and other aspects of the Law deter smaller non-affiliated groups, Marionettes are likely to dominate Russia’s civil society landscape in the future. Rather than a ‘holding pattern’ (Sundstrom and Henry, 2006) Russian civil society appears to be moving away from that ruled by under-funded yet

independent groups that struggled to engage the public (Crotty, 2006), who were heavily reliant on overseas donor funding (Henderson, 2002), towards a sector dominated by groups funded and thus controlled by the state. Accordingly, it is likely that as creators of civil society (Osborne and Kaposvari, 1997), Marionettes will facilitate a Russian third sector that is more ‘managed’ (Interview 3.4); where NGOs are the agents of social policy, not the influencers of it. As such they are less likely to bridge the gap between the individual and the state, or hold it to account. The result can be summed up by one respondent in this study who said,

Yes, we have democracy in Russia, but it is another one, different from other countries. (Interview 1.14)

Of course, the co-option of NGOs by the state will and does happen in other countries, and is therefore not unique to Russia. However, the implications for this co-option given the weakness of both civil society and the NGO sector prior to the passing of the NGO Law means that Marionettes could become the only functioning, well-resourced NGOs within Russia’s third sector.

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## Appendix 1- Overview of Interviewees

No	Main objectives	Typology
1.1	<ul style="list-style-type: none"> <li>• Preservation of national parks</li> </ul>	<ul style="list-style-type: none"> <li>• TNGO</li> </ul>
1.2	<ul style="list-style-type: none"> <li>• Animal protection</li> </ul>	<ul style="list-style-type: none"> <li>• TNGO</li> </ul>
1.3	<ul style="list-style-type: none"> <li>• Workshops and education for children on animals and nature</li> </ul>	<ul style="list-style-type: none"> <li>• TNGO</li> </ul>
1.4	<ul style="list-style-type: none"> <li>• Cultural Heritage; Assisting other groups with grant applications</li> </ul>	<ul style="list-style-type: none"> <li>• TNGO</li> </ul>
1.5	<ul style="list-style-type: none"> <li>• Share intellectual and practical knowledge about the environment.</li> <li>• Establish ecological legislation</li> <li>• Defend ecological rights of the population</li> </ul>	<ul style="list-style-type: none"> <li>• Marionette</li> </ul>
1.6	<ul style="list-style-type: none"> <li>• Professional assessment of environmental situation in Samara</li> </ul>	<ul style="list-style-type: none"> <li>• Marionette</li> </ul>
1.7	<ul style="list-style-type: none"> <li>• To bring state and enterprise together to solve environmental problems</li> </ul>	<ul style="list-style-type: none"> <li>• Marionette</li> </ul>
1.8	<ul style="list-style-type: none"> <li>• Public education</li> <li>• Engagement with roundtables</li> </ul>	<ul style="list-style-type: none"> <li>• GRO</li> </ul>
1.9	<ul style="list-style-type: none"> <li>• Stated aims are to improve ecological culture and politics</li> </ul>	<ul style="list-style-type: none"> <li>• TNGO</li> </ul>
1.10	<ul style="list-style-type: none"> <li>• Co-ordinate ecological activity across the region and overseas organisations</li> <li>• Contract work for state</li> <li>• Award grants on behalf of the Public Chamber</li> </ul>	<ul style="list-style-type: none"> <li>• TNGO</li> </ul>
1.11	<ul style="list-style-type: none"> <li>• Children's activities in the national park</li> <li>• Annual residential in the park for school children</li> </ul>	<ul style="list-style-type: none"> <li>• Marionette</li> </ul>
1.12	<ul style="list-style-type: none"> <li>• Attract funding for children's ecological activities including education, festivals, action days</li> </ul>	<ul style="list-style-type: none"> <li>• Marionette</li> </ul>
1.13	<ul style="list-style-type: none"> <li>• Assist with the distribution of charitable funds from large companies to environmental and other projects</li> </ul>	<ul style="list-style-type: none"> <li>• Marionette</li> </ul>
1.14	<ul style="list-style-type: none"> <li>• Seeks donors for local projects including environmental</li> <li>• Acts as an agent for firms and the state fund public organisations</li> </ul>	<ul style="list-style-type: none"> <li>• TNGO</li> </ul>
1.15	<ul style="list-style-type: none"> <li>• Improve the quality of the environment and health in Tol'yatti</li> <li>• Public education</li> </ul>	<ul style="list-style-type: none"> <li>• TNGO</li> </ul>
1.16	<ul style="list-style-type: none"> <li>• Annual rally to promote the uniqueness of the nature reserve</li> <li>• Children's activities and education</li> </ul>	<ul style="list-style-type: none"> <li>• TNGO</li> </ul>
2.1	<ul style="list-style-type: none"> <li>• Established by President Putin</li> <li>• Assessment of the environmental situation in</li> </ul>	<ul style="list-style-type: none"> <li>• Marionette</li> </ul>



	Russia. Campaigning for specific improvements	
2.2	<ul style="list-style-type: none"> <li>Independent monitoring of radiation levels; ground and surface water</li> </ul>	<ul style="list-style-type: none"> <li>Marionette</li> </ul>
2.3	<ul style="list-style-type: none"> <li>Children's projects including education, cleaning projects, festivals</li> </ul>	<ul style="list-style-type: none"> <li>Marionette</li> </ul>
3.1	<ul style="list-style-type: none"> <li>Campaign for environmental improvements through engagements with local authorities and politics. Participate in roundtables and field candidates for local and state dumas</li> <li>Had 12 elected local deputies during the El'tsin period, no elected representatives currently</li> </ul>	<ul style="list-style-type: none"> <li>TNGO</li> </ul>
3.2	<ul style="list-style-type: none"> <li>Publish papers, debate and attempt to highlight environmental issues to the wider population and government</li> </ul>	<ul style="list-style-type: none"> <li>TNGO</li> </ul>
3.3	<ul style="list-style-type: none"> <li>Communicating environmental issues through own newspaper</li> <li>Environmental monitoring and assessment</li> </ul>	<ul style="list-style-type: none"> <li>TNGO</li> </ul>
3.4	<ul style="list-style-type: none"> <li>To 'improve the environmental situation in Volgograd'</li> </ul>	<ul style="list-style-type: none"> <li>Marionette</li> </ul>
3.5	<ul style="list-style-type: none"> <li>Commentator through eco-press and other outlets</li> </ul>	<ul style="list-style-type: none"> <li>GRO</li> </ul>
3.6	<ul style="list-style-type: none"> <li>Focused on raising awareness and campaigning for an improved environment around the Red October steel works and district</li> <li>Demonstrations and meetings</li> </ul>	<ul style="list-style-type: none"> <li>GRO</li> </ul>
3.7	<ul style="list-style-type: none"> <li>Communicating environmental issues to the state</li> </ul>	<ul style="list-style-type: none"> <li>TNGO</li> </ul>

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#### Notes

<sup>1</sup> An *Oblast*<sup>1</sup> is an administrative region equivalent to a State or County. It has its own elected legislature and its own budget. A Krai is similar to an Oblast<sup>1</sup> but significantly larger in geographical size, usually with greater ethnic diversity.

<sup>2</sup> 26 NGOs including 16 from Samara Oblast<sup>1</sup>, 3 from Stavropol Krai and 7 from Volgograd Oblast<sup>1</sup>. Of these, 3 were GROs, 13 TNGOs and 10 were Marionette organisations.